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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 SACRAMENTO DIVISION

13
14 LUE POWELL, JR,) No. 2:20-cv-02407-KJN
15 Plaintiff,)
16 v.) **STIPULATION TO VOLUNTARY**
17) **REMAND PURSUANT TO**
18 KILOLO KIJAKAZI¹,) **SENTENCE FOUR OF 42 U.S.C.**
Acting Commissioner of Social Security,) **§ 405(g) AND TO ENTRY OF**
19 Defendant.) **JUDGMENT; ORDER**
20)
21)
22)
23)
24)
25)

26 IT IS HEREBY STIPULATED by the parties, through their undersigned counsel, and
27 with the approval of the Court, that this action be remanded for further administrative
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26 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021.
27 Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be
28 substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be
taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security
Act, 42 U.S.C. § 405(g).

proceedings pursuant to sentence four of 42 U.S.C. section 405(g). The Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision. The Appeals Council will instruct the ALJ to reevaluate the medical evidence, reassess the residual functional capacity, and if required, offer the claimant the opportunity for a new hearing and take further action, as warranted, to complete the administrative record.

The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Dated: August 20, 2021

LAW OFFICES OF LAWRENCE D. ROHLFING

By: /s/ Lawrence D. Rohlfing
LAWRENCE D. ROHLFING
* By email authorization on August 18, 2021
Attorney for Plaintiff

Dated: August 20, 2021

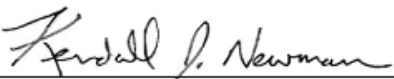
PHILLIP A. TALBERT
Acting United States Attorney

By: /s/ Sathya Oum
Special Assistant United States Attorney
Attorneys for Defendant

ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

Dated: August 23, 2021


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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